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APPLICATION NO.,	FILING DATE	FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.
09/493,02	2 (01/27/	00 SKOLNICK	J	10886-045001
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FISH & RI	CHARDSON,		ZEM/	AN , M PAPER NUMBER
SUITE 500	OLLA VILLA O CA 92122	GE DRIVE	163:	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary Examin r	•	· <u> </u>	Application No.	Applicant(s)				
Mary K Zeman 1631			09/493,022	SKOLNICK ET AL.				
- The MAILING DATE of this communication app ars on the cover sheet with th correspondence address - Period for Reply Period for Reply Period for Reply STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Edentions of time may be available used the provisions of 3 CFR 1.13(a), is no event, however, may a reply be timely filled where SIX (9) ACCITYS from the mailing date of this communication. Edentions of time may be available used the provisions of 3 CFR 1.13(a), is no event, however, may a reply be timely filled where SIX (9) ACCITYS from the mailing date of this communication. 1 NO period for reply is specified shore, the manifest datedop period will apply within the statistic reply in the statistic reply is shore the mailing date of the communication to become ABANCOHED (03 U.S.C. § 133). 1 NO period for reply is specified shore, the manifest gade of the communication, even if timely filled, may reduce any statistic replacements. See 37 CFR 1.76(b). Status 1) Responsive to communication(s) filled on			Examin r	Art Unit				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MALING DATE OF THIS COMMUNICATION. after EXX (6) MONTHS from the mailing date of this communication. If the partied rowph specified above, the mandroun standards with the datalatory minimum of finity (20) days with be considered timely. If the partied foreign specified above, the mandroun standards with the datalatory minimum of finity (20) days with be considered timely. If the partied foreign specified above, the mandroun standards predict with the parties of								
THE MAILING DATE OF THIS COMMUNICATION. Estractions of time may be available under the provision of 3 CPR 1.136(a). In no event, however, may a raply be limby filed after SIX (6) MONTHS from the mailing date of this communication. If this period creatly expected from the mailing date of this communication in the provision of								
2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-13 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are subjected to. 8) Claim(s) 1-13 are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No. spillication from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). Object of Paterna Patent	THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).							
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Application/Control Number: 09/493,022

Art Unit: 1631

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-8, drawn to computer-implemented methods of generating a 3-D representation of a target sequence wherein the entire target sequence is used, classified in class 702, subclass 19.
- II. Claims 9-11, drawn to computer-implemented methods of generating a 3-D representation of a target sequence wherein identity constraints, 2-D constraints, and tertiary constraints are used, classified in class 702, subclass 19.
- III. Claims 12-13, drawn to computer-implemented methods of generating a 3-D representation of a target sequence wherein an alignment of the target sequence with another sequence is used, classified in class 702, subclass 19.

The inventions are distinct, each from the other because of the following reasons:

Each of Inventions I-III are independent and distinct from one another as they are differing methods having differing steps and using differing data and differing programming to carry out said methods. As such, the searches for each method would not be co-extensive in scope, and would pose an undue burden upon the examiner if not restricted.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary K Zeman whose telephone number is (703) 305-7133. The examiner can generally be reached between the hours of 7:30 am and 5:00 pm Monday through Thursday, and on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Woodward, can be reached at (703) 308-4028.

Official fax numbers for this Art Unit are: (703) 308-4242, (703) 872-9306. An *unofficial* fax number, direct to the Examiner is (703) 746 5279. Please call prior to use of this number.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC1600 Receptionist whose telephone number is (703) 308-0196.

mkz 10/1/01

> MARY K. ZEMAN PATENT EXAMINER